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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/718,061

11/20/2003

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EXAMINER

MANOSKEY, JOSEPH D

ART UNIT

PAPER NUMBER

2113

DATE MAILED: 12/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/718,061

Applicant(s)

AWADA ET AL.

Examiner

Joseph D. Manoskey

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2113

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Specification*

1. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### *Claim Rejections - 35 USC § 101*

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 13-18 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claim cites "A computer readable medium", and in the specification on pages 20-21 "a computer readable medium" is shown to include "transmission-type media", such as digital and analog communications links, wired or wireless communications links using radio frequency and light wave transmissions. The computer readable media is also shown in the specification to take the form of coded formats. These are considered non-statutory subject matter, the examiner suggests to the applicant to change the limitation to read "A computer readable recordable-type medium".

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Gilstrap et al., U.S. Patent 7,131,030, hereinafter referred to as "Gilstrap".

6. Referring to claim 1, Gilstrap teaches a method of switching from a system control board, which controls resources, to an alternate control board. The alternate control board assumes the role of the main system control board and its responsibilities, this includes replicating system controller data, configuration, and log files (See Col. 4, lines 30-45). This is interpreted as a method for managing event information in a logical partitioned data processing system, the method comprising: responsive to a reallocation of a resource from a first partition to a second partition, determining whether an event for the resource is present in a first event log in the first partition; and responsive to the event being present, placing the event in a second event log in the second partition.

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7. Referring to claim 2, Gilstrap discloses replicating the log files to the alternate control board, this is interpreted as responsive to the event being present, copying the event from the first event log to the second event log (See Col. 4, lines 40-45).

8. Referring to claim 3, Gilstrap teaches the first control board failing and the log files being replicated to the alternate control board, this is interpreted as responsive to the event being present, moving the event from the first event log to the second event log (See Col. 4, lines 30-45).

9. Referring to claim 4, Gilstrap teaches the system controller including a microprocessor and memory resources, this is interpreted as wherein the resource is at least one of a memory, a processor, a network adapter, graphics adapter, and a disk adapter (See Col. 3, lines 60-67).

10. Referring to claim 5, Gilstrap discloses Gilstrap teaches the log storing info such as repair location and fault detail, this is interpreted as wherein the event includes a device identifier, a partition identifier, and error data (See Fig. 4A).

11. Referring to claim 6, teaches the alternate control board assuming the role of the main control board and replicating the files, this is interpreted as wherein placing of the event in the second error log occurs without changing the partition identifier, wherein a

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partition in which the event occurred is identified using the partition identifier (See Col. 4, lines 30-45).

12. Referring to claim 7, Gilstrap teaches a system that switches from a system control board, which controls resources, to an alternate control board. The alternate control board assumes the role of the main system control board and its responsibilities, this includes replicating system controller data, configuration, and log files (See Col. 4, lines 30-45). This is interpreted as a data processing system for managing event information in a logical partitioned data processing system, the data processing system comprising: determining means, responsive to a reallocation of a resource from a first partition to a second partition, for determining whether an event for the resource is present in a first event log in the first partition; and placing means, responsive to the event being present, for placing the event in a second event log in the second partition.

13. Referring to claim 8, Gilstrap discloses replicating the log files to the alternate control board, this is interpreted as copying means, responsive to the event being present, for copying the event from the first event log to the second event log (See Col. 4, lines 40-45).

14. Referring to claim 9, Gilstrap teaches the first control board failing and the log files being replicated to the alternate control board, this is interpreted moving means,

responsive to the event being present, for moving the event from the first event log to the second event log (See Col. 4, lines 30-45).

15. Referring to claim 10, Gilstrap teaches the system controller including a microprocessor and memory resources, this is interpreted as wherein the resource is at least one of a memory, a processor, a network adapter, graphics adapter, and a disk adapter (See Col. 3, lines 60-67).

16. Referring to claim 11, Gilstrap discloses Gilstrap teaches the log storing info such as repair location and fault detail, this is interpreted as wherein the event includes a device identifier, a partition identifier, and error data (See Fig. 4A).

17. Referring to claim 12, teaches the alternate control board assuming the role of the main control board and replicating the files, this is interpreted as wherein placing of the event in the second error log occurs without changing the partition identifier, wherein a partition in which the event occurred is identified using the partition identifier (See Col. 4, lines 30-45).

18. Referring to claim 13, Gilstrap teaches a method of switching from a system control board, which controls resources, to an alternate control board. The method is implemented in programming instructions residing on storage devices. The alternate control board assumes the role of the main system control board and its responsibilities,

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this includes replicating system controller data, configuration, and log files (See Col. 3, lines 34-36 and Col. 4, lines 30-45). This is interpreted as a computer program product in a computer readable medium for managing event information in a logical partitioned data processing system, the computer program product comprising: first instructions, responsive to a reallocation of a resource from a first partition to a second partition, for determining whether an event for the resource is present in a first event log in the first partition; and second instructions, responsive to the event being present, for placing the event in a second event log in the second partition.

19. Referring to claim 14, Gilstrap discloses replicating the log files to the alternate control board, this is interpreted as sub-instructions, responsive to the event being present, for copying the event from the first event log to the second event log (See Col. 4, lines 40-45).

20. Referring to claim 15, Gilstrap teaches the first control board failing and the log files being replicated to the alternate control board, this is interpreted sub-instructions, responsive to the event being present, for moving the event from the first event log to the second event log (See Col. 4, lines 30-45).

21. Referring to claim 16, Gilstrap teaches the system controller including a microprocessor and memory resources, this is interpreted as wherein the resource is at



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least one of a memory, a processor, a network adapter, graphics adapter, and a disk adapter (See Col. 3, lines 60-67).

22. Referring to claim 17, Gilstrap discloses Gilstrap teaches the log storing info such as repair location and fault detail, this is interpreted as wherein the event includes a device identifier, a partition identifier, and error data (See Fig. 4A).

23. Referring to claim 18, teaches the alternate control board assuming the role of the main control board and replicating the files, this is interpreted as wherein placing of the event in the second error log occurs without changing the partition identifier, wherein a partition in which the event occurred is identified using the partition identifier (See Col. 4, lines 30-45).

24. Referring to claim 19, Gilstrap teaches a system that switches from a system control board, which controls resources, to an alternate control board. Gilstrap teaches the system controller including a microprocessor with memory resources and a console bus. The alternate control board assumes the role of the main system control board and its responsibilities, this includes replicating system controller data, configuration, and log files (See Col. 3, line 59 to Col. 4, line 8 and Col. 4, lines 30-45). This is interpreted as a data processing system comprising: a bus system; a memory connected to the bus system, wherein the memory includes a set of instructions; and a processing unit connected to the bus system, wherein the processing unit executes the set of

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instructions to determine whether an event for the resource is present in a first event log in the first partition in response to a reallocation of a resource from a first partition to a second partition; and place the event in a second event log in the second partition in response to the event being present.

### ***Conclusion***

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following are closely related log file systems.

U.S. Patent 6,353,898 to Wipfel et al.

U.S. Patent 6,802,025 to Thomas et al.

U.S. Patent 7,036,044 to Verma et al.


U.S. Patent App Pub. 2004/0210800 to Vecoven et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph D. Manoskey whose telephone number is (571) 272-3648. The examiner can normally be reached on Mon.-Fri. (7:30am to 4pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (571) 272-3645. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JDM  
December 9, 2006



D. J. W. Brunschell